THE BOMBAY CODE.

VOLUME IV.

ACTS OF THE GOVERNOR OF BOMBAY IN COUNCIL FROM 1898 TO 1908.

BOMBAY ACT No. I OF 1898.[1]

[*3rd June, 1898.*]

An Act to supplement the provisions of the City of Bombay Municipal Act, 1888, with respect to the Investment of Sinking Funds and Surplus Moneys, and to validate certain Debentures.

WHEREAS it is expedient to supplement the provisions of the [2]City of Bombay Municipal Act, 1888, with respect to the investment in public securities of sinking funds and surplus moneys of the Municipal Corporation of the City of Bombay; and whereas it is also expedient to remove doubts which have arisen with respect to the validity of certain debentures of the Corporation in which portions of their sinking funds and surplus moneys purport to have been heretofore invested, and to obviate the extinction of such debentures of the Corporation as have been, or may hereafter be, issued in or transferred to the name of the Corporation or to the name of the Municipal Commissioner for the City of Bombay on behalf of the Corporation in respect of any such investments; Bom. Act III of 1888.

It is hereby enacted as follows :—

1. This Act may be cited as the City of Bombay Municipal Investments Act, 1898.

2. (*1*) In respect of any Sinking Funds which, by the [2]City of Bombay Municipal Act, 1888, the Corporation are directed or empowered to invest in public securities, and in respect of any surplus moneys which, by the same Act (as amended by the [2]City of Bombay Municipal Act Amendment Act, 1893), Bom. Act III of 1888. Bom. Act I of 1894.

[1] For Statement of Objects and Reasons, *see* Bombay Government Gazette, 1898, Pt. V, p. 73; and for Proceedings in Council, *see ibid*, p. 205.

[2] Vol. III of this Code.

the Municipal Commissioner on behalf of the Corporation is empowered to invest in like securities, it shall be lawful for the Corporation to reserve and set apart for the purposes of any such investment any debentures to be issued on account of any loan for which the sanction of the Governor General of India in Council shall have been duly obtained under section 106 of the [1] City of Bombay Municipal Act, 1888, provided that the intention to so reserve and set apart such debentures shall have been notified as a condition of the issue of the loan.

Bom. Act III of 1888.

(2) The issue of any such debentures direct to and in the name of "The Municipal Commissioner for the City of Bombay" on behalf of the Corporation shall not operate to extinguish or cancel such debentures, but every debenture so issued shall be valid in all respects as if issued to and in the name of any other person.

3. The purchase by, or the transfer, assignment or endorsement to, the Corporation or to the Municipal Commissioner on behalf of the Corporation of any debenture issued by the Corporation shall not operate to extinguish or cancel any such debenture, but the same shall be valid and negotiable in the same manner and to the same extent as if held by, or transferred, assigned or endorsed to any other person.

4. All the several debentures of the Corporation heretofore issued, transferred, assigned or endorsed in the name of the Corporation or in the name of the Municipal Commissioner on behalf of the Corporation as specified in Schedule A, and all debentures heretofore issued by way of renewal, consolidation or sub-division of any of the said debentures shall be deemed to be and to have always been valid and negotiable in all respects and in the same manner as if the same had been issued against moneys borrowed from the Secretary of State or any other person.

5. The signature of the person for the time being holding the office of the Municipal Commissioner for the City of Bombay to a transfer of any debenture standing in the name of the Corporation or of the Municipal Commissioner on behalf of the Corporation shall be valid and sufficient, notwithstanding that such person may not have held the said office at the time when such debenture was issued, transferred, assigned or endorsed to the name of the Corporation or the Municipal Commissioner as aforesaid.

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[1] Vol. III of this Code.

SCHEDULE A.

Particulars of Loans and Numbers of Debentures.	Number.	Amount.	Total.	Grand Total.
5 per cent. Bombay Municipal Loan (Rs. 10,08,500) for Drainage and Water Works, Markets and Roads.		Rs	Rs.	Rs.
Nos. 445 to 729	285	500	1,42,500	
„ 730 to 741	12	500	6,000	
				1,48,500
5 per cent Agripada House Sullage Water Connections Loan (Rs. 2,48,000).				
Nos. 1 to 170	170	500	85,000	
„ 171 to 182	12	500	6,000	
„ 183 to 188	6	500	3,000	
„ 485 to 492	8	500	4,000	
„ 493 to 496	4	500	2,000	
				1,00,000
The (5 per cent.) 35 Lakhs various Sanitary Works Loan.				
Nos. 6801 to 6825	25	500	12,500	
„ 6826 to 6876	51	500	25,500	
„ 6877 to 6888	12	500	6,000	
„ 6889 to 6894	6	500	3,000	
„ 6895 to 6902	8	500	4,000	
„ 6903 to 6967	65	500	32,500	
„ 6968 to 6992	25	500	12,500	
„ 6993 to 7000	8	500	4,000	
				1,00,000
5 per cent. Tansa Water Works Loan (Rs. 147 Lakhs).				
Nos. 24401—24450 to 25351—25400 ...	20	25,000	5,00,000	
„ 25401—25440 to 26201—26240 ...	21	20,000	4,20,000	
„ 26241 26270 to 27261—27290 ...	35	15,000	5,25,000	
„ 27291—27310 to 28271—28290 ...	50	10,000	5,00,000	
„ 28291—28300 to 28481—28490 ...	20	5,000	1,00,000	
„ 28491—28494 to 28887—28890 ...	100	2,000	2,00,000	
„ 28891—28892 to 29229—29230 ...	170	1,000	1,70,000	
„ 29231—29270 to 29351—29390 ..	4	20,000	80,000	
„ 29391—29392 and 29393—29394 ...	2	1,000	2,000	
„ 29395—29396 to 29399—29400 ...	3	1,000	3,000	
				25,00,000
The (5 per cent.) Municipal Building Loan (Rs. 8,00,000).				
Nos. 1—50 to 151—200	4	25,000	1,00,000	
„ 201—240 to 361—400	5	20,000	1,00,000	
„ 401—430 to 551—580	6	15,000	90,000	
„ 581—600 to 961—980	20	10,000	2,00,000	
„ 981—990 to 1171—1180	20	5,000	1,00,000	
„ 1181—1184 to 1377—1380 ...	50	2,000	1,00,000	
„ 1381—1382 to 1599—1600 ...	110	1,000	1,10,000	
				8,00,000
Total 5 per cent. Loan Debentures ...	...	...	...	36,48,500

SCHEDULE A—*contd.*

Particulars of Loans and Numbers of Debentures.	Number.	Amount.	Total.	Grand Total.
		Rs.	Rs.	Rs.
The (4 per cent.) Loan of 4⅓ Lakhs for Fire Brigade Quarters and Stations.				
Nos. 1—20 to 181—200	10	10,000	1,00,000	
„ 201—210 to 291—300	10	5,000	50,000	
„ 301—304 to 417—420	30	2,000	60,000	
„ 421—422 to 479—480	30	1,000	30,000	
„ 481 to 500	20	500	10,000	
Total 4 per cent. Loan Debentures ...	...	...	...	2,50,000
GRAND TOTAL ...	...	...	...	38,98,500

BOMBAY ACT No. II OF 1898.[1]

[*3rd June, 1898.*]

An Act to amend the Sind Village Officers Act, 1881, as amended by Bombay Act II of 1888.

WHEREAS it is expedient further to amend the [2]Sind Village Officers Act, 1881, as amended by [3]Bombay Act II of 1888, in manner hereinafter appearing; It is enacted as follows :— Bom. Act IV of 1881.

Amendment of section 2 of Bombay Act IV of 1881.

1. In section 2 of the said Act, for the words "Kotars or Tapedars' peons" there shall be substituted the following, *viz.* :—

"Supervising, Probationary, Special and Naib Tapedars, Zabits, and Kotars or Tapedars' peons."

2 and 3. [*Amendment of section 6 of Bombay Act IV of 1881*]. *Rep. by Act IV of 1907.*

[1] For Statement of Objects and Reasons, *see* Bombay Government Gazette, 1897, Pt. V, p. 209; for Report of Select Committee, *see ibid*, p. 210; and for Proceedings in Council, *see ibid*, p. 249, and *ibid*, 1898, pp. 63 and 186.

Short Title:—"The Sind Village Officers (Amendment) Act, 1898," *see* the Bombay Short Titles Act, 1921 (Bom. Act 2 of 1921), Vol. V of this Code.

[2] Vol. II of this Code.

[3] Vol. III of this Code.

BOMBAY ACT No. III of 1898.[1]

[*3rd August, 1898.*]

An Act to amend the [2]Bombay District Police Act, 1890.

Bom. Act IV of 1890.

WHEREAS it is expedient to amend the [2]Bombay District Police Act, 1890, in manner hereinafter appearing; It is enacted as follows :—

Bom. Act IV of 1890.

1. For section 1 of the [2]Bombay District Police Act, 1890, which is hereinafter referred to as the said Act, there shall be substituted the following, *viz.* :— Amendment of section 1.

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2. In section 2 of the said Act, for the word-and figure "sub-section (*1*)" there shall be substituted the following, *viz.*:— Amendment of section 2.

"Sub-section (*2*)."

3. For sub-section (*2*) of section 25 of the said Act there shall be substituted the following, *viz* :— Amendment of sub-section (*2*) of section 25.

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4. After sub-section (*2*) of section 25 of the said Act there shall be inserted the following new sub-section, to be numbered (*3*), *viz.* :— Insertion of new sub-section (*3*) in section 25.

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5. For sub-section (*3*) of section 25 of the said Act the following, which shall be numbered sub-section (*4*), shall be substituted, *viz.*:— Amendment of sub-section (*3*) of section 25.

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6. After new sub-section (*4*) of section 25 of the said Act there shall be inserted the following new sub-section, *viz.* :— Insertion of new sub-section (*5*) in section 25.

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7. After section 25 of the said Act there shall be inserted the following new section, *viz.* :— New section added.

[Vol. III of this Code.]

8. (*1*) In sub-section (*1*) of section 26 of the said Act,— Amendment of section 26.

(*a*) after the word "Every" there shall be inserted the following, *viz.*:—

"tax imposed or";

(*b*) for the words "last preceding section," there shall be substituted the following, *viz.* :—

"the last two preceding sections"; and

(*c*) at the end of the said sub-section (*1*) there shall be added the following, *viz.* :—

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[1] For Statement of Objects and Reasons, *see* Bombay Government Gazette, 1897, Pt. V, p. 270; for Report of Select Committee, *see ibid*, 1898, p. 1; and for Proceedings in Council, *see ibid*, 1897, p. 249, and *ibid*, 1898, pp. 188 and 292.

Short Title:—"The Bombay District Police (Amendment) Act, 1898," *see* the Bombay Short Titles Act, 1921 (Bom. Act 2 of 1921), Vol. V of this Code.

[2] Vol. III of this Code.

(*2*) In sub-section (*2*) of the same section,—

(*a*) After the word "Every" there shall be inserted the following, *viz.*:—

"tax imposed or"; and

(*b*) after the words "rate assessed," there shall be inserted the following, *viz.*:—

"or amount recoverable."

New section added.

9. After section 26 of the said Act there shall be inserted the following new section, *viz.*:—

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Amendment of section 42.

10. In sub-section (*1*) of section 42 of the said Act, after the words "singing of songs," there shall be inserted the following, *viz.*:—

"playing of music."

Amendment of section 48.

11. In clause (*a*) of sub-section (*1*) of section 48 of the said Act, after the words "conduct of," there shall be inserted the following, *viz.*:—

"and behaviour or action of persons constituting."

THE CITY OF BOMBAY IMPROVEMENT ACT, 1898.

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